


Patrick M. Flatley
United States Bankruptcy Judge
Dated: Wednesday, November 07, 2007 6:31:03 PM

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

IN RE:

UNITED ENERGY COAL, INC.

Case Number 06-00453

Debtor.

**ORDER APPROVING APPLICATION OF TRUSTEE FOR EMPLOYMENT OF
AUCTION COMPANY; AUTHORIZING THE SALE OF EQUIPMENT; SETTING
DATE AND TIME FOR AUCTION AND HEARING FOR SALE OF REAL ESTATE**

The Trustee has filed his Application for the Employment of an Auction Company and Motion for an Order Authorizing the sale of Equipment and Real Estate of the Debtor as well as requesting a shortening of the time to file objections. On October 25, 2007, the Court entered its Order shortening the time for Objections to the employment of the auctioneer and the conducting of an auction of the equipment.

There have been no objections filed to the Application and Motion for an auction, and upon a review thereof, the Court finds that the employment of the auctioneer and the proposed auction sale of the Debtor's Equipment is upon the terms which are fair and reasonable, and that the same are in the best interests of the Estate, it is hereby

ORDERED that H. Lynden Graham, Jr., Trustee, be and hereby is, authorized to employ IronPlanet to provide internet auctioneering services in connection with the sale of the Debtor's Equipment; and it is further

ORDERED that the Trustee is authorized to conduct an auction sale of the Debtor's Equipment in accordance with the terms of his Motion. Such sales shall be for cash or its

indubitable equivalent to the highest bidder therefore. The property will be sold free and clear of liens and other encumbrances, with any liens to attach to the proceeds of sale to the same extent and with the same priority as any such liens encumber the titles to the vehicles, all in accordance with Section 363(f) of the Bankruptcy Code. It is further

ORDERED that following the sale the Trustee may transfer to the highest bidders the property and the titles to the vehicles endorsed by the Trustee as the seller. It is further

ORDERED that the Trustee shall pay the costs of sale and compensate IronPlanet out of the proceeds of sale in accordance with the terms embodied in the Application, all without the further Order of the Court.

It further appearing to the Court that an upset bid has been filed with the Clerk of the Court and served upon the Trustee and his counsel as to the proposed sale of the Real Estate described in the Motion and the Notice issued by the Clerk of the Court, and that the conducting of an auction is required, it is further

ORDERED that the Trustee shall conduct an auction of the Real Estate described in his Motion on December 7, 2007, at the Clarksburg Divisional Office of the Court at the Edel Building, 324 West Main Street, Clarksburg, West Virginia, at 9:30 a.m. on Friday, December 7, 2007, at which auction all parties seeking to purchase the said Real Estate shall attend and be prepared to bid in accordance and upon the terms set forth in the "Real Estate Auction" provisions set forth in the Trustee's Application, and it is further

ORDERED that at 10:30 a.m. and following the said auction the Trustee shall report the results thereof to the Court, and the Court will conduct a hearing upon the said sale. It is further

ORDERED that all rights of lienholders holding valid, enforceable and perfected liens shall be channeled and attached to the proceeds generated from the sale of the Real Estate. It is

further

ORDERED that the Notice issued by the Clerk of the Court in this matter on November 6, 2007, is hereby vacated.

Prepared and presented by:

/s/

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